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The Russian Federation's religious freedom at the crossroads: barriers for indigenous nomadic shamanism

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The aim is to deal with so-called sacred sites of indigenous people and their protection in Russian law and how the law operates in practice. The focus is on clashes between religious freedom of indigenous groups respecting sacred sites and shamanism in the Russian North on the one hand and the state, big oil and gas companies and economic interests in Russia on the other hand.

1. Religious freedom in Russia.

1.1. The recognised traditional religions in Russia are Christianity (Russian Orthodoxy, in fact), Judaism, Buddhism and Islam. Other religions have to be registered and act as associations (the 1997 Law on Freedom of Conscience and Religious Associations Act).

1.2. The 1993 Constitution guarantees freedom of religion, including worship in public or private for registered denominations. Russia is a secular state (Articles 28 and 14).

1.3. Is there any serious problem with religious freedom in Russia? Unfortunately, yes. The current atmosphere concerning religious freedom(s) is bad. There have been many restrictions concerning e.g. Protestant churches. However, indigenous religions - that in Western understanding are natural religions like shamanism - have nothing common with this trend and are at the margins of these recent problems of protection of religious freedom, but the trend shows the atmosphere and climate. Here come the other problems to be explained in the paper then.

2. Indigenous peoples in Russia.

2.1. There are 186 ethnic groups in Russia. Russia is a multinational federal state.

2.2. In this number, according to the 2000 governmental register, there are included 46 officially recognised minor indigenous peoples, including 40 indigenous small numbered peoples of the North, Siberia and the Far East. Each group has fewer than 50 000 members.

2.3. Thus, in the number of 40, we have, for example, the Sami, the Nenets, the Khanty, etc.

2.4. Many of the distinct cultures are going to die out, but some remain still strong.

3. Sacred sites and indigenous nomadic shamanism in Russia.

3.1. Sacred sites are places or things which are of a great importance and a divine significance for indigenous communities.

3.2. Originally, one of the indigenous peoples of the North, the Sami, recognised all their lands as sacred, having both spiritual and physical entity (*Sapmi*). Some places were special for indigenous peoples though.

3.3. These sacred sites were and are lakes, hills, stones, caves, etc.

3.4. For example, Lake Baikal is sacred to the Buryats. By the way, one of the Buryats said that in the past all lands had been sacred but now this perception disappeared1.

3.5. In indigenous traditions and beliefs, sacred sites are places where there is the so called master of the place (see: shamanism in Tuva). It is a spirit. The spirit can help the man, if the man offers the spirit his worship and provides some gift with his prayer/offering (like antlers).

3.6. In indigenous traditions of the North, like in the Khanty group, shamanism is a way of life. This is not a religion - it is a religion only in a Western sense.

1 See more: https://themoscowtimes.com/articles/russian-shaman-battles-oil-giant-over-sacred-lake-49038 and http://sacredland.org/lake-baikal-russia/ (23.04.2018).

3.7. Many of such groups were or are nomadic, especially those based on reindeer husbandry.
3.8. Shaman plays many important roles: 1) he or she is a spiritual leader of a given community, acting on behalf of the community to protect it and to "maintain the world order among the people" and the individual (Porsanger: 154); thus, he organises e.g. important ceremonies (birth, marriage, burial, getting ridding of evil spirits, offerings for good hunting or fishing etc.), 2) he is a healer, 3) he is a foreteller, 4) he travels between the worlds in ecstatic experiences (trances) with his drum as an important ritual object.
3.9. For example, the Sami cosmology contains ideas about the structure of the universe and the birth of the world (cosmogony), and the end of the world (eschatology).

4. State and economic interests v. indigenous peoples, shamanism and sacred sites.
4.1. Officially, article 69 of the Russian Constitution protects cultures of minor indigenous peoples.
4.2. Also, republics, autonomous regions and oblasts protect indigenous rights and traditional ways of life in their codes and statutes (like the Murmansk Oblast Code, art. 21). In practice, it is often a dead letter.
4.3. In fact, there are many conflicts between economic interests of big energy companies and indigenous peoples' rights in the Russian North. This is widely described by NGOs or international organisations2, or in the literature.
4.4. More importantly from the point of view of the paper topic, companies carrying out natural resources exploitation, oil and gas exploration or mining activities are in conflict with indigenous peoples protecting their sacred sites. And, since 2013 there has not been a duty to make environmental impact assessment or consult local indigenous groups in cases of investments like oil drilling.
4.5. Indigenous sacred sites are badly protected by the written law now, not only so is it in practice of law.
4.6. Indigenous sacred sites were not important at all until 1980s, when some first calls for protection appeared. Also, in the 2000s international networks made reports on documentation of sacred sites in some regions of Russia3.
4.7. Nowadays big oil and gas companies are interested in doing big business and maximizing profits. There are many cases of pollution made by these companies' activities that are described e.g. by anthropologists or ethnographers and environmentalists. Pollution as a result of the companies' activities is often the case in indigenous territories, including their sacred sites. It happens in many different regions with indigenous territories in the Russian North or Siberia.
4.8. The main state interest is to support these economic interests of companies as it is also about the economic interests and growth of Russia.
4.9. Many federal legal rules concerning the status of indigenous peoples passed almost 20 years ago (1999-2000), in favour of these peoples, have often been on the paper for years. Since 2013, that said, the new federal law has clearly supported big companies, not indigenous peoples. It is a clash of ideas and interests.
4.10. The priority for Russia's government is the economic growth and natural resources management, not the indigenous heritage. It is a pragmatic choice made by the government.

5. The case of one Khanty shaman.
5.1. This is **the case of Sergey Kechimov, the shaman and guardian of the Imlor, a lake sacred to the Khanty people4. He was appointed as a guardian by the indigenous community. He was a shaman who protected a sacred site, this is a lake in his village. The criminal case was filed against him in 2015.**
5.2. Few years before filing the case, Surgutneftegaz, a regional oil producer, had legally started to drill near the lake. According to the shaman, they had polluted the lake and depreciated this sacred object. The company had paid off about 10 families to move out the village close to the lake. Only the shaman had been left. Many conflicts between him and workers of the company had happened. To make the case clear, I have to add that the media reported that "The peak of the confrontation came when Kechimov used a rifle to shoot the dog of one of the workers, which he says killed one of his deer". **The police had raided him, intervened and enforced him to sign a document in which he had admitted to be guilty. The problem is the he does not know the Russian language too much.**
5.3. Kechimov was accused under article 119 of the criminal code of the Russian Federation ("Threat on someone's life").

2 See: http://whc.unesco.org/archive/websites/arctic2008/russia.html (23.04.2018).
3 See more: http://sacredland.org/arctic-russia-russia/ (23.04.2018). And, a technical report of 2004: https://oaarchive.arcticcouncil.org/bitstream/handle/11374/179/Conservation_Sacred_Sites_Russia_2004.pdf?sequence=1&isAllowed=y (23.04.2018).
4 See: https://www.iwgia.org/en/russia/2314-russia-case-against-defender-of-sacred-lake-postpo (22.04.2018).

5.4. The shaman faced the danger of two years of imprisonment. Finally, he was found guilty and convicted to corrected labour in 2017. Then he was covered by a nationwide amnesty5.

6. Drawing conclusions: barriers for indigenous shamanism in Russia.

6.1. The main barrier for indigenous shamanism related to sacred sites in Russia is the priority of economic interests of both Russian energy companies and the state.

6.2. Sacred sites protected by indigenous both shamans and groups are not really protected by the state then.

6.3. I guess that indigenous shamanism with sacred sites might be considered as a religion and protected in terms of religious freedom and human rights.

6.4. I think that there is no one right answer here, and as scholars we have to understand the process and both sides. However, it is clear that there is some serious problem in this field from a religious freedom perspective as well. And, law and religion scholars may take care of it.

Some chosen references[6]:

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5 There was even an interesting article about it in Guardian in 2017: https://www.theguardian.com/world/2017/mar/17/reindeer-herder-oil-excavators-siberia (23.04.2018).